

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MAINE**

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STATE OF MAINE, *et al.*,

Plaintiffs,

v.

SCOTT PRUITT,  
Administrator, U.S. Environmental  
Protection Agency, *et al.*,

Defendants.

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Civil Action No. 1:14-cv-264-JDL

**EPA'S STATUS REPORT**

Defendants Scott Pruitt, Administrator, United States Environmental Protection Agency, and Alexandra Dapolito Dunn, Regional Administrator of Region I of the United States Environmental Protection Agency (collectively "EPA"), respectfully file this status report in order to inform the Court and the parties of an April 27, 2018, letter from the Department of the Interior ("DOI") to EPA. As discussed below, the April 27, 2018, DOI letter relates to a January 30, 2015, letter from DOI to EPA that is in the Administrative Record in this case.

As the Court and the parties are aware, Plaintiffs here seek judicial review of EPA's February 2, 2015, decision to disapprove some of Maine's Water Quality Standards ("WQS") under the Clean Water Act, and EPA's related interpretation and approval of Maine's WQS as including a designated use of sustenance fishing in Indian waters in Maine. In EPA's Analysis in Support of its February 2, 2015, decisions on Maine's WQS, EPA referenced the January 30, 2015, DOI letter. *See* Administrative Record ("AR") at 5305. The January 30, 2015, DOI letter is in the Administrative Record. AR at 542-552.

The April 27, 2018, DOI letter is attached to the Status Report for the Court and the parties' information. It discusses the January 30, 2015, DOI letter, and affirms DOI's conclusions on several issues addressed in the January 30, 2015, letter, and clarifies DOI's position on others.

The April 27, 2018, DOI letter post-dates EPA's February 2, 2015, decisions on Maine's WQS, and it is not in the Administrative Record. By filing the letter with this status report, EPA is not suggesting that the April 27, 2018, DOI letter should be added to the Administrative Record. Rather, EPA is simply providing notice of the existence of the April 27, 2018, letter consistent with its duty of candor to the Court.

Respectfully submitted,

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Date: May 7, 2018

**CERTIFICATE OF SERVICE**

It is hereby certified that all counsel of record who have consented to electronic service through the Court's ECF system are being served with a copy of the foregoing EPA's Status Report on this 7th day of May 2018. Any other counsel of record will be served by first class U.S. mail.

*s/David A. Carson*